

**From:** [ENERGY STAR Enforcement](#)  
**To:** (b) (4)  
**Cc:** [windows@energystar.gov](mailto:windows@energystar.gov)  
**Subject:** ENERGY STAR Dispute – EPA disqualifying (b) (4) (Case #: WDS06-2016-01)  
**Date:** (b) (4)

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Dear Dean Lowe:

EPA has completed its review of (b) (4) testing failure dispute, and determined that (b) (4) model (b) (4) will be disqualified from the ENERGY STAR Program. The (b) (4) dispute states that (b) (4)

(b) (4) You also requested a re-test. The laboratory test report identified the spacer of the tested unit as that which is listed in the Certified Product Directory. In addition, EPA did not receive supplemental information, as requested, that would allow for consideration of a defect claim in the manufacturing process. For these reasons, the product will be disqualified from the ENERGY STAR.

Organizations responsible for ENERGY STAR products that are disqualified through ENERGY STAR verification testing are required to submit confirmation of product control measures (“PCM”) taken to control the sale, distribution and promotion of the affected units in the marketplace.

(b) (4) submittal of PCM is due by (b) (4), and should be made using the standard Partner Response Form (“PRF”) available at [www.energystar.gov/prfnd](http://www.energystar.gov/prfnd). Upon review of (b) (4) proposed PCM, EPA will notify (b) (4) whether they are acceptable. If (b) (4) seeks to deviate from the proposed PCM, it must notify EPA prior to doing so.

Please submit (b) (4) completed PRF and any supporting documentation to [enforcement@energystar.gov](mailto:enforcement@energystar.gov). **All communication regarding this notice must include the appropriate case number WDS06-2016-01 in the subject line.**

As the ENERGY STAR name and logo are registered marks belonging to the U.S. government, EPA must ensure they are used correctly to protect the integrity of the program they represent. Any partner that uses the name and/or logo improperly and fails to take product control measures per EPA’s request may be subject to termination of its ENERGY STAR Partnership Agreement, and referred to EPA’s Office of General Counsel.

Thank you for your prompt attention to this matter and your continued support of the ENERGY STAR program.

Sent on behalf of:

Mariah Steele  
ENERGY STAR Partner Accountability  
U.S. Environmental Protection Agency  
(202) 343-9305  
Email: [Steele.Mariah@epa.gov](mailto:Steele.Mariah@epa.gov)